

ENTERED

May 07, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA
Plaintiff,

V.

JONATHAN ADAM VAN PELT,
Defendant,

and

QUALITY AMERICAN RENTALS FOR U
LLC,

Defendant.

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CASE NO. 4:23-CV-04482

FINAL JUDGMENT OF FORECLOSURE

On this day, the Court considered the United States of America’s petition for foreclosure of lien. (Doc. No. 1). After careful consideration, the Court finds the petition should be granted against Defendant Quality American Rentals for U, LLC, and makes the following findings:

1. On March 13, 2019, Defendant Jonathan Adam Van Pelt was sentenced to 30 months of imprisonment and to pay \$20,398,629.05 in restitution and a \$100 special assessment (Doc. No. 1, Ex. A). Upon imposition of his sentence, a federal tax type lien arose and was automatically and statutorily imposed on all his property for collection of the outstanding restitution. *See* 18 U.S.C. § 3613(c).

2. On April 12, 2019, the United States perfected its judgment lien by recording notice in the Official Records of Harris County, Texas. (Doc. No. 1, Ex. E). Additionally, on December 5, 2019, the United States perfected its judgment lien against Quality American Rentals for U, LLC, the title owner of the real property and nominee for Defendant Van Pelt, by recording notice in the Office Records of Harris County, Texas. (Id., Ex. F).

3. As of May 6, 2024, Defendant Van Pelt has paid all his \$100 special assessment and \$984,118.43 in restitution, according to the records of the Clerk of the United States District Court for the Southern District of Texas. Defendant as an outstanding balance of \$21,957,737.35, with \$19,414,610.57 in principal and \$2,543,126.78 in interest owed to his victim.

4. On November 29, 2023, the United States filed its Complaint to Foreclose Lien (Doc. No. 1), which was directed to the Defendant, Jonathan Adam Van Pelt, his purported spouse, Nabila Bailiche, a third party in interest, and Defendant Quality American Rentals for U, LLC, as the title owner of the real property. The Complaint to Foreclose Lien was duly served upon the Defendants and/or their agents. Defendant Quality American Rentals for U, LLC did not file an answer nor otherwise enter an appearance contesting this matter.

5. A copy of the legal description of the real property (the “Real Property”) foreclosed upon is attached as **Exhibit “A”** to this Judgment.

7. The judgment lien is valid and attached to and encumbers the Real Property. The United States is entitled to foreclose its lien against the Real Property, which shall be sold pursuant to 28 U.S.C. §§ 2001 *et seq.* through a receiver under 18 U.S.C. §§ 3613 and 3664(m)(1)(A) and 26 U.S.C. §7403.

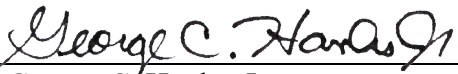
8. Proceeds from the sale of the Real Property shall be distributed as follows: (1) reasonable and customary costs and expenses in selling the Real Property, including, without limitation, minor repairs, and cleanup as required to close on a sale; (2) any outstanding taxes or assessments on the Real Property; and (3) excess proceeds to the Government for application to Defendant’s criminal debt.

IT IS THEREFORE ORDERED THAT:

1. The United States of America's Complaint to Foreclose Lien (Doc. No. 1) is **GRANTED** regarding Defendant Quality American Rentals for U, LLC.
2. The Government's judgment lien against Quality American Rentals for U, LLC on the Property is hereby foreclosed. The legal description of the Real Property is attached as **Exhibit "A"** of this Judgment.
3. The proceeds from the sale shall be disbursed as follows: (1) reasonable and customary costs and expenses in selling the Property, including, without limitation, minor repairs, and cleanup as required to close on a sale; (2) any outstanding taxes or assessments on the Property; and (3) any excess proceeds to the Government for application to Defendant's criminal debt.

IT IS SO ORDERED.

Dated: May 07, 2024



George C. Hanks, Jr.
UNITED STATES DISTRICT JUDGE